

MINUTES OF REGULAR MEETING HELD JUNE 4, 2019

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, June 4, 2019 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 13, 2018. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle, Council Members Habgood, Arena, Dardia, Neylan, LoGrippo Contract, Stokes, Mackey

ABSENT:

INVOCATION AND FLAG SALUTE

Invocation was given by Councilman Arena followed by the flag salute.

PRESENTATIONS

Mayor Brindle presented the following Proclamation:

Town of Westfield

Westfield, New Jersey

PROCLAMATION

National Gun Violence Awareness Day

June 7, 2019

WHEREAS, every day, 100 Americans are killed by gun violence and, on average, there are nearly 13,000 gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other high-income countries; and

WHEREAS, protecting public safety in the communities they serve is every level of government's responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, on January 29, 2013, Hadiya Pendleton, a 15-year-old honor student who dreamed of being a pharmacist, was shot in the back and killed while standing with friends taking refuge from the rain in a Chicago park after taking final exams at King College Prep High School. Just two weeks prior, Miss Pendleton had marched in President Obama's second inaugural parade. Prosecutors concluded that it was gang related shooting and a case of mistaken identity. Miss Pendleton's friends and classmates channeled their grief into action by creating "Project Orange Tree" and in her honor encouraged everyone to wear orange, the colors hunters wear in the woods to protect themselves. Inspired by Ms. Pendleton's friends and classmates, "Wear Orange" was launched in June of 2015, the month of Miss Pendleton's 18th birthday, and June 2nd was designated as the 1st National Gun Violence Awareness Day; and

WHEREAS, to continue to honor Hadiya – and the 100 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 7, 2019, the first Friday in June, as the 5th National Gun Violence Awareness Day; and

WHEREAS, Nicole Hockley, a mother who lost her beloved first-grader at the unspeakable tragedy in Newtown and one of the founders of the Sandy Hook Promise, so poignantly stated, “I can’t think of anybody who is pro-gun violence, so to have one day that recognizes all those lives that are lost every year to gun violence helps us all to reaffirm the right we have to life.”; and

WHEREAS, by wearing orange on June 7, 2019, we raise awareness about gun violence and honor the lives of gun violence victims and survivors;

WHEREAS, although New Jersey consistently ranks in the top 3 states for having strong gun laws in place without compromising 2nd Amendment rights, it is understood that gun safety laws matter beyond a state’s borders and gun violence affects the well-being of all Americans and all communities; thus, we renew our advocacy for reducing gun violence and encouraging responsible gun ownership to help keep our citizens, especially our children, safe.

NOW, THEREFORE BE IT RESOLVED, that I, Mayor Michelle W. Brindle, do hereby designate Friday, June 7, 2019 as Gun Violence Awareness Day in the Town of Westfield and in doing so, encourage all citizens to support efforts to prevent the tragic effects of gun violence and to honor and value human lives.

Jessica Grant, leader of the Mom’s Demand Action group, extended an invitation to all to attend the first ever Union County Wear Orange Peace March in which communities will join together on June 8, 2019 at 9:00 AM at Nomahegan Park to honor the victims and survivors of gun violence. Stated that one hundred and fifty-six (156) mass shootings have occurred in the US during the first one hundred and fifty-four (154) days of 2019. Feels mass shootings typically make the news and discussed the recent shooting in Virginia Beach in which twelve (12) people lost their lives. Discussed many other shootings that occur in which there is no news coverage, such as a shooting involving a four-year-old boy in Little Rock Arkansas who gained access to a loaded weapon and shot himself, and a Columbine survivor who recently committed suicide. Stated that these shootings not only affect immediate victims, but also affect the family and friends in the community for years to come. Discussed gun related deaths in United States last year, stating that they reached their highest point in forty (40) years with nearly forty thousand (40,000) people killed from firearms. Requested a moment of silence for the victims of these shootings, and explained that if there were one (1) minute of silence for every person killed or injured this year, there would be silence for two hundred and eighty-seven (287) hours, which is nearly two (2) entire weeks, with six (6) months remaining in the year. In conclusion, stated that that while a moment of silence is essential to grieve and to join communities together, feels citizens must also remember the victims by using their voices loudly in the best ways that they can. Feels citizens need to stand up and speak up, and this is the reason why her organization is asking all to wear orange on June 7. Quoted the words of the late Martin Luther King Jr. stating, “Our lives begin to end when we become silent about the things that matter.”

Councilman Arena thanked the Police Department and the Police Officer in attendance at each Town Council meeting to ensure everyone’s safety.

Recognition of Jaimie DeDea – WHS Senior – Union County Municipal Alliance Volunteer of the Year

Mayor Brindle presented Jaimie DeDea with a certificate in recognition of being selected as Union County Municipal Alliance Volunteer of the Year.

Ms. DeDea discussed her volunteering experiences and stated that she is a member and has been President of the WHS Dream Team for the past two (2) years. Explained that the Dream Team is a club dedicated to educating students about the consequences of harmful substances and encouraging students to make healthy decisions. Extended a special thanks to the Westfield Municipal Alliance and explained that the Dream Team would not be able to function as well as it does without the Municipal Alliance because it funds all of the programs the Dream Team conducts. Discussed various programs that were conducted by the Dream Team.

Mayor Brindle presented the following Proclamation:

Town of Westfield

Westfield, New Jersey

PROCLAMATION

LGBTQ Pride Month

June 2019

WHEREAS, Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Pride Month is celebrated each year in the month of June to commemorate the anniversary of the Stonewall Rebellion in New York City on June 28, 1969, which most historians consider to be the birth of the modern LGBTQ movement. At the time, police raids on bars catering to LGBTQ patrons were common, but that night, the violent response ignited a national firestorm of activism that brought new visibility to the struggle for LGBTQ equality; and

WHEREAS, as Mayor, I am steadfastly committed to the Town of Westfield as a welcoming and inclusive community to all; and

WHEREAS, to advance that commitment, it is important to observe Pride Month with a Pride flag raising ceremony to honor the history of the LGBTQ liberation movement and to support the rights of all citizens to experience equality and freedom from discrimination; and

WHEREAS, the rainbow flag is widely recognized as a symbol of pride, visibility, inclusion, and support for social movements that advocate for LGBTQ people in our society; and

WHEREAS, all human beings in our society are deserving of dignity and equal rights; and

WHEREAS, according to a recent report by the Harvard T.H. Chan School of Public Health, the Robert Wood Johnson Foundation and National Public Radio, the majority of LGBTQ Americans report they have experienced some form of harassment or discrimination due to their sexual orientation or gender identity; and

WHEREAS, while society at large increasingly supports LGBTQ equality, discrimination and prejudice still exists, highlighting the need for continuing education and awareness efforts; and

WHEREAS, celebrating Pride Month influences awareness and provides support and advocacy for our LGBTQ community, and serves as an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance and advance equal rights;

NOW, THEREFORE BE IT PROCLAIMED that that I, Mayor Michelle W. Brindle, in support of the rights of all LGBTQ citizens to experience equality and freedom from discrimination, do hereby designate the month of June 2019 as Pride Month in the Town of Westfield.

Town Administrator's Reports

- Provided an update of road paving and announced that Elizabethtown Gas has completed paving of eleven (11) of the fourteen (14) roads on its initial schedule. Also stated that that this process would continue throughout the summer. In addition, the Town received bids for its 2019 Paving Program and for its 2019 Construction of ADA Compliant Curb Ramps. Contracts for these projects would be approved by the Town Council on June 18, 2019;

- Announced that the Pavement Management/Assessment Program has begun and explained that the first phase of the assessment involves a review of all roads in Town using specialized equipment and trucks. This process would last approximately one (1) week. The data that is collected would then be analyzed to comprise a prioritized list of roadways to be improved, with a recommended method of treatment, and would be used in development of the Town's 2020 Paving Program.
- Discussed tree trimming being conducted by PSE&G and assured residents that the work is unrelated to PSE&G's proposed 69kV project.

Mayor's Remarks

- Thanked those who participated in the Memorial Day parade. Feels it is a privilege to honor heroes with a Town parade and remembrances, which this year marked the 100th Anniversary of the American Legion Post 3, and paid tribute to the honorary Grand Marshall, Dr. Derrick Nelson. Extended a special thanks to Stan Cuba and his volunteers for their efforts to make the day special to honor those who made the ultimate sacrifice;
- Announced that the Farmers' Market returned to the North Avenue train station lot this past Saturday, and stated that this year the market is bigger and better with twenty-six (26) vendors. There is also the addition of live music every week, along with carts and Boy Scouts available to help residents carry produce to their cars. Feels the Farmer's Market is as much about the community experience as it is about the food, and encouraged all to visit the market on Saturday mornings. Extended a special thanks to Chris Devine and the Greater Westfield Area Chamber of Commerce for their ongoing commitment to improve the market;
- Announced that this Saturday also kicked off this year's season at Memorial Pool. Thanked Recreation Director Don Bogardus and Heather Re, Aquatics Supervisor, for their dedication to making substantial improvements to the pool and discussed those improvements, including one hundred and sixty (160) lounge chairs, free wi-fi, kids' splash pad, a concessions vendor, and yard games, all with no increase in resident membership fees. Stated that registration is still open and available online for free.
- Discussed events scheduled for June 9, 2019, the first being the kick off to the DWC's Second Sunday series with a "Get Fit on Quimby" event, which will feature fitness on a pedestrian-only Quimby Street from 9:00 AM to 12:30 PM. Explained that registration is required and suggested that residents visit the DWC's website for additional information. The second event to be held on Sunday is "Art in the Park" in Mindowaskin Park, where artists would be painting, drawing, and taking photos. Art supplies would also be available for residents to participate. Thanked the Westfield Art Association and The Friends of Mindowaskin Park for partnering with the Town to make the event possible;
- Discussed public art and its role in the beautification and revitalization of many downtowns and informed residents of the Town's opportunity to bring a transformative public art project to Westfield. Explained that local artist and former WHS art teacher, Ricardo Roig, is making a name for himself with murals in Hoboken. In addition, Mr. Roig is a local business owner who recently opening his own art gallery on South Avenue. As part of the Town's overall revitalization efforts of the South Avenue business corridor, Mr. Roig was enlisted to provide a rendering of a potential mural for Westfield to be painted along the New Jersey Transit underpass that links the North and South Avenue circles. Explained that the Town loved the rendering so much that Mr. Roig is already at work on a companion mural for the other side of the street. The Town is hoping to get a least one mural in place this summer, and Mr. Roig is planning to enlist his former WHS students to help him paint these murals in order to make it a true community undertaking. Also explained that the Town is in the process of applying for grants to help fund these murals, but is also looking for corporate and/or local individual sponsors. Stated that James Ward has already generously committed to contributing \$5,000 to get the projects started, and the Town would be asking the public for suggestions or contacts for potential sponsors to complete this funding. Requested that residents submit any ideas or feedback to publicart@westfieldnj.gov, and to view the rendering of the mural on the Town's website at www.westfieldnj.gov/publicart. Also explained that as a first step in bringing public art to Westfield, the Town Council would be considering a resolution allowing for the acceptance of future donations for public art from grants and benefactors. In addition, a Public Arts Commission would be established and would be charged with establishing a town wide public arts vision, as well as managing contributions and funding;

- Discussed plans to celebrate Westfield's 300th Anniversary next year, which is anticipated to include a year-long schedule of events, culminating in a town-wide celebration in the early fall. Stated that the Town is in the process of forming a planning committee from the many volunteers who have submitted applications, and would be asking for additional volunteers as needed. The committee would be announced soon, along with a community-wide Anniversary logo contest;
- Commended the Department of Public Works (DPW) for its efforts with plantings at the South Avenue circle last fall which she feels has made a tremendous difference to the entire area. Also discussed the blooming of the lilac trees on East Broad Street which she believes have become a beautiful and fragrant addition to the Downtown area. Announced that, in total, DPW has planted three hundred and seventy-five (375) trees so far this year, and in a "feel-good" story last week, rescued a fawn trapped in a storm drain;
- Discussed the Westfield Connect app and thanked those who have already downloaded it to report non-emergency DPW requests. To date, there have been seven hundred and eighteen (718) app downloads with one hundred and seventeen (117) requests reported to date. Encouraged everyone to use this tool, as it helps to streamline the Town's operations, and also makes reporting concerns much easier;
- Discussed the RVL Mayors' Alliance's continued efforts to fight for the immediate restoration of off peak direct service, as well as the reallocation of dual locomotive trains that would enable RVL peak direct service. To that end, the Mayor's Alliance would be leading a rally at Newark Penn Station, Track 5, on June 18, 2019 at 5:00 PM to draw attention to the significant challenges RVL commuters face when changing trains and platforms in Newark. The public is invited and encouraged to join the Mayor's Alliance to show support and sign a petition;
- Discussed a resolution on tonight's agenda, authorizing an award of contract for crossing guard services to a third party. Explained that the Town's crossing guards perform a critical role in ensuring the safety of Westfield's families in the school community. Over the years, the Police Department has done an excellent job managing this program; however, filling the posts has become increasingly challenging due to the changing needs and availability of eligible workers. As a result, the police have become a "de facto" crossing guard unit almost every morning and afternoon, which compromises their ability to do police work at critical times. As a result, the Town is contracting with a third party who specializes in managing crossing guard programs around the country to set the Town up for long-term success, while also increasing crossing guard benefits, including raising their hourly rate, providing paid snow days, new uniforms and equipment, and professional training. Explained that none of the Town's current crossing guards would lose their posts and stated that she is confident that this approach would be beneficial to the crossing guards, the Police Department, and to the Town's overall public safety;
- Announced that she was proud to issue two (2) proclamations tonight in support of issues that are "near and dear" to many residents. In recognition of National Gun Violence Awareness Day on June 7, the Town honored and remembered all victims and survivors of gun violence, with members of Moms Demand Action of Union County here to accept the proclamation on behalf of the work they do. Explained that one of the first things she did as Mayor was sign the Mayors Against Illegal Guns pledge. Unfortunately, gun violence has only become an ever growing national crisis as evidenced by the most recent tragedy in Virginia Beach. This horrific act occurred in a municipal complex just like this one, where twelve (12) public servants were murdered, many performing the same duties performed by Westfield employees. Encouraged all to pledge to do their part to bring an end to gun violence and to show support by wearing orange on Friday;
- Lastly, Mayor Brindle stated that she remains committed to fostering a community culture of inclusion and acceptance as evidenced by the strides made with forming a Seniors Council, Adaptive and Inclusivity Council, and a Mental Health Commission. Stated that she was proud to send a "loud message" to the LGBTQ community that they are also welcomed and accepted in Westfield by honoring LGBTQ Pride Month with a proclamation accepted by members of the Westfield High School GSA and Folio. In addition, stated that she was honored to raise the Pride flag in front of the Municipal building for the first time, where it would remain for the month of June.

APPOINTMENTS

ADVERTISED HEARINGS**GENERAL ORDINANCE NO. 2132**

AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2105 ENTITLED -
“AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD
CHAPTER 2, “ADMINISTRATION,” ARTICLE II, TOWN OFFICERS AND
EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY
SCHEDULE,” SEC. 2-12.28, “SCHEDULE.”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2133

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD,
CHAPTER 13 (Stop Intersection-Elizabeth Avenue and Boynton Avenue)

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2134

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW
JERSEY, TO PERMIT OVERNIGHT PARKING ON WEEKENDS

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2135

AN ORDINANCE DESIGNATING 314 MOUNTAIN AVENUE, SHOWN ON THE
TOWN TAX MAPS AS BLOCK 2403, LOT 10, AND COMMONLY KNOWN AS
THE “REEVE HOUSE”, AS A HISTORIC LANDMARK AND MODIFYING THE
ZONING MAP

Due to additional noticing requirements that are necessary, the public hearing for General Ordinance No. 2135 has been postponed until June 18, 2019.

GENERAL ORDINANCE NO. 2136

AN ORDINANCE DESIGNATING 201 MOUNTAIN AVENUE, SHOWN ON THE
TOWN TAX MAPS AS BLOCK 2407, LOT 1, AND COMMONLY KNOWN AS
“TRIANGLE PARK”, AS A HISTORIC LANDMARK AND MODIFYING THE
ZONING MAP

Due to additional noticing requirements that are necessary, the public hearing for General Ordinance No. 2136 has been postponed until June 18, 2019.

GENERAL ORDINANCE NO. 2137

ORDINANCE TO AMEND AND RESTATE THE TREE PRESERVATION
ORDINANCE OF THE TOWN OF WESTFIELD

Advertised returnable this evening.

Donna Canavan, member of the Tree Preservation Commission, discussed her support for the adoption of General Ordinance No. 2137. Stated that she is proud of the Tree Preservation Commission for its efforts in gathering research from other municipalities with strong tree preservation ordinances and explained that the information that was gathered was used to comprise General Ordinance No. 2137. Discussed the new provisions of the ordinance and encouraged the Town Council to approve its adoption. Also encouraged residents who observe tree removal they feel might be inappropriate to contact Town officials.

Hearing no further comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, GENERAL ORDINANCE NO. 2132 - AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2105 ENTITLED - "AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION," ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY SCHEDULE," SEC. 2-12.28, "SCHEDULE." by Councilwoman Habgood, seconded by Councilman Stokes, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays: Neylan	Absent:
Arena		
Dardia		
LoGrippe		
Contract		
Stokes		
Mackey		
Mayor Brindle		

An ordinance entitled, "GENERAL ORDINANCE NO. 2133 - AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13 (Stop Intersection-Elizabeth Avenue and Boynton Avenue)." by Councilman Dardia, seconded by Councilman LoGrippe, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays:	Absent:
Arena		
Dardia		
Neylan		
LoGrippe		
Contract		
Stokes		
Mackey		
Mayor Brindle		

An ordinance entitled, "GENERAL ORDINANCE NO. 2134 - AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, TO PERMIT OVERNIGHT PARKING ON WEEKENDS" by Councilman Dardia, seconded by Councilman Contract, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays:	Absent:
Arena		
Dardia		
Neylan		
LoGrippe		
Contract		
Stokes		
Mackey		
Mayor Brindle		

An ordinance entitled, “GENERAL ORDINANCE NO. 2137 - ORDINANCE TO AMEND AND RESTATE THE TREE PRESERVATION ORDINANCE OF THE TOWN OF WESTFIELD” by Councilwoman Mackey, seconded by Councilman LoGrippe, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood Nays: Absent:

Arena

Dardia

Neylan

LoGrippe

Contract

Stokes

Mackey

Mayor Brindle

BIDS

TOWN OF WESTFIELD

INVITATION TO BID

WEDNESDAY, May 29, 2019

2019 Construction of ADA Compliant Curb Ramps

Bidder

Amount of Bid

AA Berms LLC	\$248,400.00
P.O. Box 180	
Belleville, NJ 07109	
D.L.S. Contracting Inc.	\$215,000.00
271 Highway 46, Suite D-205	
Fairfield, NJ 07004	
Your Way Construction, Inc.	\$280,600.00
404 Colt St.	
Irvington, NJ 07111	
Cifelli & Son Inc.	\$350,000.00
81 Franklin Avenue	
Nutley, NJ, 07110	

TOWN OF WESTFIELD

INVITATION TO BID

WEDNESDAY, May 29, 2019

2019 VARIOUS ROAD IMPROVEMENTS

Bidder

Amount of Bid

Schifano Construction Corp.	\$2,833,453.50
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1 Smalley Avenue	
Middlesex, NJ 08846	
Fischer Contracting Inc.	\$2,407,663.00
10 Short Hills Lane	
Scotch Plains, NJ 07076	
D.L.S. Contracting Inc.	\$2,793,925.00
271 Highway 46, Suite D-205	
Fairfield, NJ 07004	
P&A Construction Inc.	\$2,584,752.00
P.O. Box 28	
Colonia, NJ 07067	
Black Rock Enterprises, LLC	\$2,770,275.00
1316 Englishtown Road	
Old Bridge, NJ 08857	
American Asphalt & Milling Services, LLC	\$2,731,689.00
96 Midland Avenue	
Kearny, NJ 07032	
Reivax Contracting	\$2,963,000.00
68 Finderne Avenue	
Bridgewater, NJ 08807	
Top Line Construction Corp.	\$3,189,300.54
22 Fifth Street	
Somerville, NJ, 08876	
Stilo Excavating Co.	\$2,776,977.00
2907 South Clinton Avenue	
South Plainfield, NJ 07080	

MINUTES

On a motion by Councilman LoGrippe and seconded by Councilwoman Habgood, Council approved the Minutes of the Town Council Conference Session, Regular Meeting and Executive held May 21, 2019.

PETITIONS AND COMMUNICATIONS

Mayor Brindle discussed correspondence received from the Borough of Garwood regarding the Ice Rink at Gumbert Park and informed residents that the Recreation Commission voted in favor of the return of the rink at Gumbert Park for the 2019-20 season. Explained that the Town Council would not be voting on the ice rink this evening, and requested that the Town Clerk read the letter submitted by the Borough of Garwood in full:




Mayor Sara Todisco
Council President Marc Lazarow
Councilman Sean Benoit
Councilwoman Jen Blumenstock
Councilman Russell Graham
Councilman Michael Ince
Councilman Richard McCormack

June 4, 2019

Honorable Mayor Shelley Brindle
 Members of the Town Council
 Town of Westfield
 425 East Broad Street
 Westfield, NJ 07090

Borough of Garwood
403 South Avenue
Garwood, NJ 07027
908-789-0710
908-789-7978 fax
garwood@garwood.org



Christina M. Ariemma, Borough Administrator/Clerk
Sandy Bruns, CFO/Treasurer/Assistant Adm/Tax Collector
Thomas C. Jardim, Borough Attorney
Michael Disko, Borough Engineer
James H. Wright, Police Chief
Allan Tweedie, Fire Chief
Clint Dickson, Superintendent DPW
Lenny Navarro, DPW Foreman

RE: Ice Rink at Gumbert Park
 S. Chestnut Street, Westfield, NJ

Dear Mayor Brindle and Members of the Town Council:

We want to begin by expressing Garwood's support for community recreation. We support every benefit recreation provides, including encouraging social interaction, improving concentration and learning, increased personal confidence and self-awareness, reducing feelings of depression and anxiety, enhancing self-esteem, and improving quality of life for all citizens in a community. It's that last one, the quality of life for all citizens in a community that needs further consideration before Westfield approves the return of the Ice Rink at Gumbert Park.


It is our understanding that notwithstanding the alleged loss to rink operator, the profound and documented negative impact to the community, businesses, traffic and quality of life particularly to Garwood citizens residing at The Pointe and The Lofts at Garwood, that the rink operator has requested approval to return the rink for the 2019/20 season at the same location with additional hours, music and a concession stand.

Garwood and its residents objected to this rink prior to installation last year, however were told that it would be on a trial basis. We were told that during this trial period certain factors will be evaluated including the impact on residents, parking, noise from the cooler, lighting, and the overall impact the rink has on the community. It was our understanding that at the end of the trial period, Westfield would evaluate the matter to decide whether to extend the agreement for 2019/20 at Gumbert Park or consider another location. We understand you are presently underway in the evaluation process and would appreciate your consideration of the impact to Garwood.

Garwood is providing its evaluation in this letter by informing Westfield that the location of the rink at Gumbert Park significantly and negatively impacted Garwood residents and business, particularly the residents of The Pointe and The Lofts at Garwood and the business adjacent to them. These residents were directly affected by noise and light, the volume of visitors parking in non-designated areas, which greatly impacted Garwood businesses, but more importantly the location of the rink at Gumbert Park negatively impacted the quality of life for the residents in the area. That is not an acceptable tradeoff for a recreation facility that can be located elsewhere. The idea of returning the rink with extended hours, a concession stand and music is unacceptable to Garwood as these factors will only compound the negative impact to our community. Additionally, Garwood Police received numerous complaints to enforce parking ordinances, and address noise complaints. Such calls will only increase, if the rink returns to Gumbert Park with extended hours, a concession stand, and additional music.

Garwood is requesting that Westfield investigate and pursue alternate locations for the rink. If in fact Westfield does allow the return of the rink to Gumbert Park, then there needs to be real solutions to the problems this rink causes. Increased hours, music and a concession stand should not be allowed. Garwood is requesting that Westfield consider quality of life before allowing the rink to return. For as much as Garwood supports community recreation as stated in the first paragraph of this letter, it moreover supports a strong quality of life for its citizens. Let this letter serve as record that Garwood does not support the return of the Ice Rink to Gumbert Park for the 2019/20 season or any season thereafter.

Please hear the voices of our citizens affected to ensure that their concerns are not disregarded. As legislators, we understand the difficulties we face in decision-making as these decisions tend to have greater impact on certain areas and communities. We desire a decision that is thoroughly successful for both of our communities to enhance the quality of life for all citizens, not just some. We thank you in advance for your anticipated consideration.

Sincerely,

 Christina M. Ariemma, RMC

On Behalf of Mayor Sara Todisco
 Council President Marc Lazarow
 Councilman Sean Benoit
 Councilwoman Jen Blumenstock
 Councilman Russell Graham
 Councilman Michael Ince

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Greg Kasko, 434 Everson Place, thanked the Town for reducing the cost of permits for the Conservation Center.

Mr. Kasko also discussed contact he made several months ago with Town officials in which he reported theft of overtime by DPW employees. Explained that this is the second time he reported the theft of overtime by Town employees, stating that the first instance involved the Police Department. Explained that the Union County's Prosecutor's Office conducted an investigation, in which he was called as a witness, however he feels the Prosecutor's Office was more interested in how he acquired certain documents related to the allegations.

Mr. Kasko also stated that he reported a hit and run accident that occurred at the Conservation Center which involved former Police Chief Wayman. Feels the reporting of this accident led to an investigation of other incidents involving Police Chief Wayman which ultimately resulted in Police Chief Wayman's retirement.

Mr. Kasko then discussed an independent investigation that was conducted by Stephanie Gironda of Wilentz Attorneys at Law in connection with his report involving DPW. Stated that he contacted Ms. Gironda but Ms. Gironda refused to speak with him. Feels he should have been contacted as a witness in this investigation. Also stated that there is a former DPW employee with knowledge of these incidents and that this employee was not contacted by Ms. Gironda. Discussed an OPRA request he filed for records related to the investigation and stated that he was provided with copies of invoices which indicated that the cost of the investigation conducted by Ms. Gironda was approximately \$4,000. Questioned why this investigation was conducted by an attorney instead of a law enforcement agent. Feels the Town could have utilized the Union County Prosecutor's Office to conduct the investigation at no cost. Explained that what he produced several months ago was two (2) pictures that contain a list of up to ten (10) names of employees, with ID numbers, and that an employee of DPW was "punching" employees on the list in and out on the timeclock. Stated that his main concern is that at the end of the day the employees that were on his list would go home and another employee would return to work and would punch all of those employees out, providing them with substantial overtime. Stated that this happened on numerous occasions and asked why he and the other witness that used to work for DPW were not contacted. In addition, asked if any State or County grant money is awarded to the Town that pays for employees' salaries and referenced "Click or Ticket" as an example. Stated that it is his understanding that Ms. Gironda found no wrongdoing by DPW employees had occurred and asked if Ms. Gironda's report would be made public. Stated that he does not understand how a civilian lawyer could make a determination and requested that the Town Council take steps to further investigate what occurred in DPW. Feels that while DPW does a wonderful job in Town, believes there are employees that are taking advantage of the system at the expense of Westfield taxpayers.

The Town Administrator responded to Mr. Kasko's comments and questioned why Mr. Kasko feels he is entitled to this information. Stated that the claims presented by Mr. Kasko are not facts, but allegations. Also explained that when these types of matters are reported, an investigation is conducted. In this case, the Town hired an outside firm, which is not uncommon. The firm that was hired conducted an investigation and found no wrongdoing by DPW employees. Stated that the claims Mr. Kasko has presented as fact are not true. Discussed the OPRA request filed by Mr. Kasko and stated that invoices were provided to Mr. Kasko in response to his request. Pending items requested by Mr. Kasko include Ms. Gironda's report, as well as emails between Ms. Gironda and the Town Administrator, emails between Ms. Gironda and the Mayor, emails between Ms. Gironda and the Town Attorney and emails between Ms. Gironda and the DPW Director. The Town's labor attorney is currently reviewing these records to determine if they can be provided or if they must be redacted. Stated that despite Mr. Kasko's claims, DPW employees have not stolen time.

Mr. Kasko requested another opportunity to speak, stating that a resident at a prior Town Council meeting was allowed more than one opportunity to speak, and he feels he should be afforded that same opportunity.

Mayor Brindle stated that residents are only allowed one opportunity to speak and denied Mr. Kasko's request.

Hearing no further comments, Mayor Brindle closed the public comment portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Habgood, and seconded by Councilman Dardia, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$567,003.08 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Habgood, and seconded by Councilman Contract, were unanimously adopted.

Resolution No. 140

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individuals:

Name	Account	Class	Fee
James Wells 499 Cranford Ave Cranford, NJ 07016	Pool #195	Refund Pool Membership Switched Memberships	\$120.00
Chunrui Sun 225 Welch Way Westfield, NJ 07090	Pool #195	Refund Pool Membership Switched Memberships	\$100.00

Resolution No. 141

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2019:

Block/Lot/Qualifier	Quarter/Year
Name	Property Address
1902/10	219 Sunset Avenue
	Sewer/2019
	\$415.00
3307/2	445-449 South Avenue East
	Sewer/2019
	\$415.00

Both checks payable to:

Lehigh Hanson, Inc.
Accounts Payable

Mail to:

Lehigh Hanson, Inc.
Attn: Aldric Thanarse
300 E. John Carpenter Frwy
Irving, Texas 75062

Resolution No. 142

WHEREAS, the County Board of Taxation is unable to certify the tax rate throughout the county in a timely fashion and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the Municipal Tax Collector, in consultation with the Municipal Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield in the County of Union and the State of New Jersey on this 4th day of June, 2019, as follows:

- 1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town of Westfield for the third installment of 2019 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
- 2. The entire estimated tax levy for 2019 is hereby set at \$177,389,411.03
- 3. In accordance with the law, the third installation of 2019 taxes shall not be subject to interest until the later of the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

<u>2019 CERTIFICATION</u>	
Municipal	\$27,9796,294.66
School	\$104,749,790.00
Library	\$2,633,514.00
County	\$40,813,766.08
Open Space	<u>\$1,216,046.29</u>
Totals	\$177,389,411.03

Divided by the assessed value of \$8,254,337,891

= Tax rate of 2.149

Resolution No. 143

WHEREAS, a need exists for upgrades to the Town Council Chambers and other meeting rooms within the Town of Westfield Municipal Building; and

WHEREAS, it is necessary to conduct a review and evaluation of each meeting room in connection with these upgrades, including mechanical, electrical, and plumbing systems, as well as a review of the Town’s AV/Broadcast video system; and

WHEREAS, quotes were requested for this service, with a submission by FVHD Architects and Planners, LLC, 1515 Lower Ferry Road, Trenton, New Jersey 08618, at a cost not to exceed \$17,400; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the request for quotes; and

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, which will be charged to 9-01-185-215, under Purchase Order No. 19-0xxxx and prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield as follows:

- 1. FVHD Architects and Planners, LLC be and hereby is awarded a contract to review and evaluation as described above; and
- 2. The term of the contract will be for a term of one (1) year; and
- 3. The proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

Resolution No. 144

RESOLVED that the payroll consisting of the following regularly salaried employees of the Town of Westfield be adopted effective January 1, 2019 and

that the Chief Financial Officer be authorized to draw warrants to their order, biweekly, as their names appear on the departmental payrolls, and that the Mayor and the Town Clerk be, and they are hereby, authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<u>Name</u>	<u>Title</u>	
James H. Gildea	Town Administrator	\$184,442
Joan Thermann	Executive Assistant	\$ 85,793
Scott Olsen	Chief Financial Officer	\$153,121
Jessica Wang	Payroll/Benefits Manager	\$ 78,578
Tara Rowley	Town Clerk	\$103,771
Maureen Lawshe	Deputy Town Clerk	\$ 62,651
Annmarie Switzer	Tax Assessor	\$ 97,858
Henry Wang	Tax Collector	\$ 76,875
Steve Freedman	Construction Official	\$119,805
Keith Allara	Electrical Subcode Inspector	\$ 79,663
Michael Cuppari	Custodian	\$ 44,600
Chris Battiloro	Police Chief	\$153,500
Raeann Anthony	Administrative Secretary	\$ 67,809
Scott Mersereau	Parking Services Director	\$ 77,644
David Kelly	Fire Chief	\$154,046
Anthony Tiller	Deputy Fire Chief	\$137,406
Kris McAloon	Town Engineer	\$141,753
Chris Roth	Engineering Inspector	\$ 69,500
Kathleen Neville	Zoning Officer	\$ 83,212
Kathleen Nemeth	Assistant Zoning Officer	\$ 58,205
Paul Horta	Town Surveyor	\$ 99,834
Donald Sammet	Town Planner	\$111,260
Gregory O'Neil	Director of Public Works	\$112,929
Craig Gibson	Supervisor–Public Works	\$ 84,347
Eugene Watkins	Supervisor–Public Works	\$ 84,347
Richard Eubanks	Supervisor–Public Works	\$ 84,347
Robert Kosciolk	Supervisor–Public Works	\$ 84,347
Don Bogardus	Director of Recreation	\$ 99,579
Heather Ferratti	Assistant Director of Recreation	\$ 73,713
Carol Salvaggio	Municipal Court Administrator	\$ 85,528
Parag Patel	Municipal Magistrate	\$ 59,450
Robert Bohrod	Municipal Defender	\$ 15,375
Yvette Gibbons	Municipal Prosecutor	\$ 32,800

Resolution No. 145

WHEREAS, the Board of Trustees of the Westfield Memorial Library, pursuant to authority granted to the Trustees by Statute, has adopted a payroll for employees and the salary amounts;

NOW, THEREFORE BE IT RESOLVED, that the payroll consisting of the following regularly salaried employees of the Westfield Memorial Library be adopted retroactive to be effective January 1, 2019 and that the Chief Financial Officer be authorized to draw warrants to their order, biweekly, as their names appear on the departmental payrolls, and that the Mayor and the Town Clerk be, and they are hereby, authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<u>Name</u>	<u>Title</u>	
Phil Israel	Library Director	\$113,778
Jennifer Schultz	Librarian - Dept. Head	\$ 84,222
Adrienne Basso	Librarian – Dept. Head	\$ 77,692
Mary Adams	Librarian – Dept. Head	\$ 68,814
Jeannine Forbes	Library Associate	\$ 44,882
Issac Lebron	Senior Custodian	\$ 46,594
Maryann Prokop	Office Manager	\$ 54,031
Warren Hoffman	Library Assistant I	\$ 37,199
Emily Pope	Library Assistant I	\$ 34,765

Resolution No. 146

WHEREAS, N.J.S.A.40A:4-87 (Chapter 159, P.L. 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by the law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount;

NOW, THERFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2019 in the sum of \$2,000.00, which is now available from the Sustainable Jersey Grant funded by PSE&G; and

BE IT FURTHER RESOLVED that the like sum be, and the same is hereby appropriated under the following caption:

General Appropriations	
Sustainable Jersey Grant	\$2,000.00

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded electronically to the Division of Local Government Services by the Chief Financial Officer.

Resolution No. 147

WHEREAS, N.J.S.A.40A:4-87 (Chapter 159, P.L. 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by the law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount;

NOW, THERFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2019 in the sum of \$61,023.30, which is now available from the Solid Waste Administration FY 2019 Clean Communities grant; and

BE IT FURTHER RESOLVED that the like sum be, and the same is hereby appropriated under the following caption:

General Appropriations	
Clean Communities	\$61,023.30

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded electronically to the Division of Local Government Services by the Chief Financial Officer.

The following resolution, introduced by Councilwoman Habgood, and seconded by Councilman Dardia, was adopted by the following roll call vote:

Resolution No. 148

WHEREAS, sealed bids were received on May 29, 2019 by the Town Clerk for Crossing Guard Services for the Westfield Police Department for term beginning July 1, 2019 and ending June 30, 2020; and

WHEREAS, the low bid in the amount of \$609,496 submitted by All City Management Services, 10440 Pioneer Boulevard, Suite 5, Santa Fe Springs, CA 90670 has been analyzed and found to be in conformance with the appropriate plans and specifications; and

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, which will be charged to Accounts 9-01-132-101 and 9-01-130-107, and prepared in accordance with N.J.A.C. 5:30 1.10 under Purchase Order 19-

NOW, THEREFORE, E IT RESOLVED by the Town Council of the Town of Westfield that a contract for Crossing Guard Services for the Westfield Police Department be and hereby is awarded to All City Management Services, 10440 Pioneer Boulevard, Suite 5, Santa Fe Springs, CA 90670 at a cost not to exceed \$609,496; subject to the availability of funds in the 2020 operating budget; and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and hereby are, authorized to take whatever actions are appropriate in the execution of discharge of this Contract.

Yeas: Habgood

Nays: Neylan

Absent:

Arena

Dardia

LoGrippe

Contract

Stokes

Mackey

Mayor Brindle

The following resolution, introduced by Councilwoman Habgood, and seconded by Councilman Stokes, was adopted by the following roll call vote:

Resolution No. 149

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, N.J.S.A 40A:5-29 provides for receipt of Donations – Acceptance of Bequests and Gifts for Public Art throughout the Town of Westfield to provide for the operating costs to administer this act, and

WHEREAS, N.J.S.A. 40A:4-39 provides that dedicated revenues anticipated from Donations – Acceptance of Bequests and Gifts for Public Art throughout the Town of Westfield are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Westfield, County of Union, New Jersey, as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Donations – Acceptance of Bequests and Gifts for Public Art throughout the Town of Westfield, as authorized under N.J.S.A. 40A:5-9.
2. The Clerk of the Town of Westfield, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Town Council comments:

Councilwoman Neylan asked if renderings of the proposed mural at the train underpass have been shared with councilmembers.

Councilwoman Mackey stated that the renderings were provided at a Code Review and Town Property Committee meeting.

Councilman LoGrippe asked if New Jersey Transit has provided authorization for the painting of the mural.

Mayor Brindle stated that the Town is in the process of obtaining New Jersey Transit’s approval.

Yeas: Habgood	Nays:	Absent:
Arena		
Dardia		
Neylan		
LoGrippe		
Contract		
Stokes		
Mackey		
Mayor Brindle		

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilwoman Mackey Chairwoman of the Code Review & Town Property Committee, and seconded by Councilman LoGrippe, were unanimously adopted.

Resolution No. 150

WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed have made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishments listed have met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants licenses to the establishments listed to operate sidewalk cafés and the Town Clerk be, and is hereby authorized to issue said licenses.

Boxwood Coffee Roasters	143 East Broad Street
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Resolution No. 151

BE IT RESOLVED that application for the following liquor license renewals for the 2018-2019 licensing term be and hereby are granted, subject to full compliance with Alcoholic Beverage Law R.S. 33:1.1 et. seq.:

PLENARY RETAIL CONSUMPTION LICENSE

Ferraro’s Restaurant Group, LLC t/a Ferraro’s 2020-33-025-009	8-14 Elm Street
Chez Catherine Inc. (Hotel Conditional) t/a Chez Catherine 2020-33-024-007	431 North Avenue West
Echo Lake Country Club 2020-33-027-002	515 Springfield Avenue

DU International, LLC
t/a Akai Lounge
2020-33-005-007
102 East Broad Street

Prospect Associates, LLC
t/a 16 Prospect Wine Bar and Bistro
2020-33-015-010
16 Prospect Street

PLENARY RETAIL DISTRIBUTION LICENSE

Trader Joe's East, Inc.
t/a. Trader Joe's
2020-44-008-007
155 Elm Street

Shreeji Holdings, LLC.
2020-44-013-008
t/a Liquor Basket of Westfield
115 Quimby Street

Elicia Corporation
127 Central Avenue

t/a Nos Vinos
2020-44-010-010

Thakorji Corp.
t/a Peterson's Wines Unlimited
2020-44-012-004
1120 South Avenue West

Sunrise Shoprite Liquors, Inc.
t/a/ ShopRite Liquors of Westfield
2020-44-011-007
333 South Avenue East

Parikhs Corporation
t/a Central Avenue Wines & Liquors
2020-44-018-010
781 Central Avenue

CLUB LICENSE

Italian American Club
2020-31-021-001
505 Central Avenue

Centennial Lodge #400 IBPOE
2020-31-020-001
444 West Broad Street

American Legion Incorporated
Martin Wallberg Post 3
2020-31-019-002
1003 North Avenue West

Public Works Committee

Councilman Contract provided an update of PSE&G's proposed 69kV project and stated that the meeting he and Councilman Stokes had scheduled with PSE&G last week was postponed because PSE&G is still investigating the alternate route along the Conrail train line. Discussed the proposed route which he and Councilman Stokes strongly support and encourage. Feels this route is most beneficial to all impacted communities. Stated that he would continue to keep residents updated and hopes the meeting would be rescheduled sometime this month.

Reports of Department Heads

ADJOURNMENT

A motion to adjourn, made by Councilwoman Mackey and seconded by Councilman Contract at 9:05 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk